(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.2536 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

Shri S.A.Sasi for the petitioner.

Shri B.H.Mehta, APP for the respondents.

CORAM: R.M.S.KHANDEPARKAR
&
P.V.KAKADE, JJ

DATED: 5th May, 2005.

P.C.

. The learned Advocate for the petitioner has placed on record the copy of the order dated 3rd May, 2005 communicated to the petitioner rejecting the sanction to prosecute Shri R.B.Mane, P.I.Gamdevi Police Station. The petition, as was filed, was to challenge the order dated 6th August, 2004 refusing the sanction to prosecute the same person. In the course of hearing of the petition, since the learned APP for the respondents had expressed his desire to reconsider the matter by the concerned

authority afresh, and in fact had reconsidered the matter and the concerned authority has passed a final order, the order dated 6th August, 2004 does not survive. In case, the petitioner wants to challenge the order dated 3rd May, 2005, the petitioner will have to file a fresh petition in that regard. Being so, since the petition as it stands today was in relation to the order dated 6th August, 2004 which no more survives in view of re-consideration of the matter by the respondents and passing of the order dated 3rd May, 2005, the petition is accordingly disposed of with liberty to challenge the order dated 3rd May, 2005, if so desired, by a separate petition. No order as to costs.

(R.M.S.KHANDEPARKAR, J)

(P.V.KAKADE, J)